United Nations S/2003/278

Security Council

Distr.: General
4 March 2003

Original: English

Letter dated 3 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Sierra Leone, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you could arrange for the text of the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

03-27514 (E) 120303

Annex

Letter dated 19 February 2003 from the Deputy Permanent Representative of Sierra Leone to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

On instructions from my Government, I have the honour to transmit herewith a report to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001) (see enclosure).

The Government of Sierra Leone, through its National Counter-Terrorism Committee and the Permanent Mission to the United Nations, will cooperate with the Counter-Terrorism Committee in the fulfilment of the latter's mandate under resolution 1373 (2001).

(*Signed*) Sylvester Ekundayo **Rowe**
Ambassador, Deputy Permanent Representative

Enclosure

Report of the Government of Sierra Leone on the implementation of Security Council resolution 1373 (2001) concerning counter-terrorism

I. Introduction

The Government of Sierra Leone has always been concerned about the evil Nature of terrorism in all its forms and manifestations within and across national frontiers. This concern became more serious over a period of eleven years when innocent civilians in Sierra Leone became victims of large-scale brutality and terrorism, perpetrated by a relatively small group of individuals, with the direct support of a network of regional and international arms and diamond criminals.

In his address to the fifty-second session of the General Assembly, President Kabbah had drawn the attention of the international community to the "systematic terror" being inflected by the rebels against innocent civilians, including children. He repeatedly called for international assistance in ending the rain of terror that was being fueled by the illegal exploitation and sale of the country's diamonds.

Conscious of the link between rebel atrocities and the illegal trade in arms and diamonds, Sierra Leone regards all those who are engaged in the illicit trade in arms and so-called "blood diamonds" as sponsors of terrorism.

The Government of Sierra Leone is of the view that the Security Council has a pivotal role to play in international efforts to counteract terrorism in all its forms and manifestations. These efforts must be taken in accordance with the Charter of the United Nations and international law.

In 2000, and notwithstanding heavy loss of national revenue, the Government agreed to suspend the export of diamonds until its national certificate of origin regime was in place, pursuant to Security Council resolution 1306 (2000). The measures already taken by the Government within its limited means to implement the certificate of origin regime system for Sierra Leone diamonds, should also contribute to the elimination of "blood diamonds", and break their links with illicit arms and terrorism.

Sierra Leone therefore welcomed the response of the Security Council to the horrendous terrorist acts of 11 September 2001, in New York, Washington and Pennsylvania. The adoption of resolution 1373 (2001) was a landmark decision which deserves the support of and implementation by all States and individuals who cherish the sanctity of human life.

A few weeks following the tragic events of 11 September 2001 and the adoption of resolution 1373 (2001), President Kabbah registered Sierra Leone's commitment to the struggle against terrorism by participating in the African Summit against Terrorism convened by President Abdoulaye Wade, in Dakar. Sierra Leone endorsed the Dakar Declaration Against Terrorism in which the African Heads of State present solemnly registered their abhorrence of acts of terrorism and committed themselves to work with others in the global effort to suppress such acts in all their forms and manifestations.

At the moment, the Republic of Sierra Leone has no specific legislation on the prevention and suppression of terrorism. However, a number of offences under its Criminal Code and Criminal Procedure Act 1965, such as murder, extortion, currency smuggling, the illegal possession of firearms and ammunition, may be generally applicable to acts of terrorism.

II. Summary of measures and concrete action already taken or envisaged to counter terrorism relevant to the provisions of Security Council Resolution 1373 (2001)

Sierra Leone has signed and/or ratified the following international instruments related to counter-terrorism:

- The 1963 Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft. Sierra Leone signed the Convention on 9 November 1970, and ratified it on 7 February 1971

- The 1970 Hague Convention for the Suppression of Unlawful Seizure of Aircraft. Sierra Leone signed the Convention on 19 July 1971, and ratified it on 13 November 1974.

- The 1971 Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. Sierra Leone ratified the Convention on 20 September 1979

- The International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly on 9 December 1999. Sierra Leone signed the Convention on 27 November 2001

Consistent with its international obligation to comply with the provisions of resolution 1373 (2001), the Government has already initiated steps, through the necessary legislative procedures to sign, ratify or accede to the following international instruments related to counter terrorism:

- The 1994 Convention on the Safety of United Nations and Associated Personnel, adopted by the UN General Assembly on 9 December 1994;

- The International Convention for the Suppression of Terrorist Bombings, adopted by the UN General Assembly on 15 December 1997;

- The Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the UN General Assembly on 14 December 1973;

- The International Convention against the Taking of Hostages, adopted by the UN General Assembly on 17 December 1979.

- The 1988 Rome Convention for the Suppression of Unlawful Acts against the safety of Maritime Navigation;

- The 1991 Montreal Convention on the Marking of Plastic Explosives for the Purpose of Detection;

- The Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. Signed in Montreal on 24 February 1988;

- The Convention of the Organization of Islamic Conference on Combating International Terrorism, adopted in Ouagadougou on 1 July 1999;

- The 2000 Palermo Convention Against Transnational Organized Crime, and its two additional protocols;

- The Third Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplement to the Palermo Convention, adopted by the UN General Assembly on 31 May 2001.

Sierra Leone has signed and/or ratified the following regional, sub-regional and bilateral instruments related directly or indirectly to counter-terrorism:

- The 1999 OAU Convention on the Prevention and Combating of Terrorism in Africa, adopted in Algiers on 14 July 1999, which entered into force on 6 December 2002;

- The ECOWAS Non-Aggression Protocol signed in Lagos on 22 April 1978;

- The ECOWAS Convention on Extradition, signed in Abuja on 6 August 1994;

- The ECOWAS Protocol on Mutual Legal Assistance in matters relating to Defence, signed in Freetown on 29 May 1981;

- The ECOWAS Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, signed in Lome on 10 December 1999, which includes a provision in Article 46 for close cooperation among security services of member States in the Control of Trans-Border Crimes;

- The Convention on Mutual Assistance in Criminal Matters, signed in Dakar on 29 July 1992;

- The 1998 ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons;

- The Fifteenth Protocol to the Mano River Union Declaration on Defence and Security signed on 9 May 2000;

- The 1964 Judicial Convention between the State of Sierra Leone and the Republic of Guinea.

Sierra Leone acknowledges the fact that nuclear material in the hands of terrorists could pose a serious threat to international peace, safety and security. It will therefore soon take legislative action to ratify its 1991 Safeguards Agreement with the International Atomic Energy Agency (IAEA), in accordance with Article 3 of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). It will also sign the Convention on the Physical Protection of Nuclear Material, adopted in Vienna on 26 October 1979.

III. Other action

In response to resolution 1373 (2001), Sierra Leone has established a high level National Committee on Counter-Terrorism (NCTC) comprising the following membership:

1. The Financial Secretary
2. The Governor, Bank of Sierra Leone
3. The Director-General, Ministry of Foreign Affairs and International Cooperation
4. The Inspector-General of Police
5. The Controller of Customs and Excise
6. The Chief Immigration Officer
7. The Coordinator, Office of National Security
8. The Head of Drug Law Enforcement Agency
9. The Registrar, National Registration Secretariat
10. The Permanent Secretary, Ministry of Mineral Resources

11. The Permanent Secretary, Ministry of Transport and Communications.

As a signatory of the 1999 Algiers Convention on the Prevention and Combating of Terrorism, Sierra Leone participated in the African Union High-level Inter-Governmental meeting convened in Algiers from 11-14 September 2002, to facilitate the entry into force of the Convention.

In November 2002, officials from the Departments of Immigration, Custom and the Police, as well as from the Office of National Security (ONS), participated in a seminar on legislation to counter terrorism, organized jointly by the United States Departments of State, Justice and Commerce.

Sierra Leone has since June 2001 introduced new sets of machine-readable passports. The passports are issued under strict procedures in accordance with current nationality laws to ensure that Sierra Leonean passports do not fall into the hands of criminals and other terrorists. The Office of National Security (ONS) has been given oversight functions to ensure strict compliance with the procedures and processes for the issuance of the new passports. Also, Government has made the possession of a national identity card a requirement for the issuance of the new machine-readable passports to Sierra Leoneans.

Strict border control measures have also been put in place to effectively monitor the inflow and outflow of people on all borders. These include strict entry visa requirements.

The Government is aware of current trends in the global effort to combat money laundering and other financial crimes. Accordingly, through the Customs and Excise Department (now a component of the National Revenue Authority), and in cooperation with other law enforcement agencies, it has put in place a number of new measures including the following, at the Lungi International Airport:

- Baggage, especially from locations notorious for drug smuggling and terrorist activities, are subject to random selection for thorough examination;

- Suspected passengers are subject to rigorous interviewing;

- Passengers are prevented from having close contact with airport workers in order to discourage connivance which leads to smuggling and other criminal acts;

- Other law enforcement agencies such as the Police and Pharmacy Board personnel, witness the examination of luggage and baggage to ensure compliance with current laws relating to smuggling, and the prevention of the illegal importation and circulation of dangerous drugs and weapons.

While Sierra Leone has been a victim of acts of terrorism, and while it endorses the universal condemnation of such acts, the Government is of the view that a legal definition of terrorism is now overdue. Sierra Leone will continue to participate actively in the drafting of a comprehensive International Anti-Terrorism Convention, as well as in current discussions on a definition of terrorism.

IV. Conclusion

The Government of Sierra Leone reaffirms its commitment to join in international efforts to combat terrorism through international law and national legislation. At the same time it acknowledges that such efforts, including the measures contained in resolution 1373 (2001), are extremely complex and require considerable human and financial resources. Effective monitoring and enforcement of existing and forthcoming counter-terrorism legislation can be overwhelming for Sierra Leone and other developing or least developed countries.

Measures to combat terrorism should be considered by every country in the context of both national and international security, and be accorded the highest priority. However, the Government of Sierra Leone is of the view that the effectiveness of those measures would depend on, among other things, the level of international technical assistance available to countries such as Sierra Leone in the drafting and updating of relevant legislation, and the level of assistance in the areas of security personnel training, and the acquisition and maintenance of security/surveillance and counter-terrorism equipment.

United Nations S/2003/279

Security Council

Distr.: General
4 March 2003

Original: English

Letter dated 3 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 3 May 2002 (S/2002/522).

The Counter-Terrorism Committee has received the attached third report from Finland submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

03-27843 (E) 190303

Annex

Letter dated 25 February 2003 from the Permanent Representative of Finland to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

With reference to your letter of 25 November 2002 on behalf of the Counter-Terrorism Committee (CTC) regarding the implementation of resolution 1373 (2001), I have the pleasure to enclose herewith further information received from the Government of Finland, as requested in the aforementioned letter (see enclosure).

The Government of Finland has given its permission to CTC to circulate the enclosed further report as a document of the Security Council.

(*Signed*) Marjatta **Rasi**
Ambassador
Permanent Representative

Enclosure

Report to the Counter-Terrorism Committee in response to the further questions and comments presented in its letter of 25 November 2002*

1.2. It is stated in the supplementary report that the Penal Code has been amended to include the financing of terrorism as an offence and that further amendments to the Penal Code are in process. The CTC would be grateful to be informed of progress in the enactment of those amendments and the amendments to the Act on the Detention and Prevention of Money Laundering. Please provide a detailed outline of the proposed amendments.

The Penal Code

The amendment (Act No 559/2002) to the Penal Code, adding a new section 9b to Chapter 34 to the effect of establishing the financing of terrorism as a criminal offence, entered into force in July 2002.

A Government Bill (188/2002) for the enactment of new provisions on terrorist offences, to be added to the Penal Code and to the Coercive Measures Act, was submitted to Parliament in October 2002. The Bill was passed in January 2003, subject to certain changes made on the basis of the comments given by the Law Committee (Committee Report 24/2002; Parliament Reply 241/2002). The amendments were ratified by the President of the Republic with effect as of 1 February 2003 .

The last-mentioned amendments include the incorporation of a separate Chapter (34a) concerning terrorist offences in the Penal Code. The new Chapter provides for the sentences applied to terrorist offences and their planning, to the directing of a terrorist group, to the promoting of a terrorist group, and to the financing of terrorism. The Chapter also contains a provision defining terrorist offences, a provision on the right of prosecution and a provision on corporate liability. Thus, the provision concerning the financing of terrorism (the above-mentioned section 9b) was transferred, subject to slight modifications, from the existing Chapter 34 to the new Chapter 34a.

At the same time, a new provision on sanctions applicable to violations of the prohibition on chemical weapons was added to the Penal Code, the existing provisions prohibiting the hijacking of aircraft or vessels were adjusted, and the attempt of aggravated criminal damage was established as an offence. The amendment to the Coercive Measures Act increases in some respects the coercive means available to the police in the context of criminal investigations.

* Enclosures are on file with the Secretariat and are available for consultation.

The Act (No 61/2003) to amend, *inter alia*, the provisions of Chapter 32 of the Penal Code (Government Bill 53/2002) on money laundering was passed by Parliament in January 2003. The Act introduces separate and partly revised provisions on money laundering which was previously criminalised as a receiving offence under the same Chapter of the Penal Code. The Act will enter into force on 1 April 2003. The Chapter provides for the sentences applied to money laundering, negligent and aggravated money laundering, to conspiracy to commit aggravated money laundering as well as to money laundering violations. An attempt is also punishable. The new provisions further introduce heavier penalties.

The Act on Money Laundering

The Government Bill (173/2002) for the amendment of the Act on the Detection and Prevention of Money Laundering (68/1998; hereinafter referred to as the Act on Money Laundering), submitted to Parliament in October 2002, was passed in January 2003. The amendments will be ratified by the President of the Republic with effect as of 1 June 2003. The competent authority responsible for the preparation of the amendment of the Act on Money Laundering was the Ministry of the Interior.

The Act implements, *inter alia*, Directive 2001/97/EC of the European Parliament and of the European Council of 4 December 2001 amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering, and partly the special counter-terrorist recommendations of the FATF concerning the prevention of the financing of terrorism.

The most relevant amendment is the extension of the scope of the Act, whereby the reporting obligation will concern not only suspected cases of money laundering but also suspicions of financing of terrorism. If there is a suspicion that transaction has a connection to the financing of terrorism the money does not need to originate from criminal activities. The Act will also apply to accountants, book-keepers, dealers and suppliers of valuables, auctioneers and persons assisting in legal matters through a business or professional practice, placing them under an obligation to report on suspicious transactions. Furthermore, the amendment will extend the competence of the Money Laundering Clearing House. On the one hand, the Financial Supervision Authority and other supervisory authorities have a duty to ensure that the supervised entities comply with the relevant provisions of law and, on the other hand, they are under an obligation to inform the Money Laundering Clearing House if they find, in the context of supervision or in the performance of other duties, that there is reason to believe that certain transactions involve money laundering or financing of terrorism.

The amendment to the Act also makes it necessary to change certain rules and regulations that have been issued under it. The competent supervision authorities will take the amendment into account in their supervisory practice and in the relevant rules and regulations issued by them. Furthermore, training and other guidance have been planned for the staff of the Financial Supervision Authority and the Money Laundering Clearing House as well as for providers of financial services.

The Act (No 63/2003) amending the Act on Money Laundering (Government Bill 53/2002) was approved by Parliament in January 2003. As anticipated in the second report to the CTC (sub-paragraph 1 (a)), the act incorporates the provisions on the failure to report a suspicion of money laundering in the Act on Money Laundering as a new section 16 a. Any person failing to comply with the reporting obligation could then be sentenced to a fine. The Act will enter into force on 1 April 2003.

1.3 It is stated in the supplementary report that the existing Finnish legislation does not permit the freezing of assets of individuals and entities unless the obligation is based on a sanction imposed by the UN Security Council or the Council of the European Union. That being the case, how would Finland deal with the following situations:

- *funds held in Finland that are, or are suspected of being, linked to or used by terrorists, whether individuals or entities, that are not listed by the UN or the EU;*
- *funds held in Finland that are requested to be frozen by a State, whether a member of the EU or not, which considers those funds to have links to terrorism.*

The International Convention for the Suppression of the Financing of Terrorism

The International Convention for the Suppression of the Financing of Terrorism was implemented in Finland by a Decree of the President of the Republic in July 2002. Thereby the financing of terrorism falls within the scope of application of the Penal Code. A new paragraph 18 was added to the Decree on the application of Chapter 1, section 7, of the Penal Code, defining certain offences as international crimes. Under the new paragraph, the financing of terrorism within the meaning of the Convention shall be considered an international crime. A punishable attempt of or participation in any of the offences referred to in the Decree, including the financing of terrorism, shall also be considered an international crime. In cases of offences set forth in Article 2 of the Convention, the police may initiate investigations and, in that context, may resort to coercive measures in accordance with the provisions of the Coercive Measures Act, including seizure and restraint on alienation. These protective measures may, under the existing legislation, provide for the freezing of funds related to terrorist offences.

The Act on Money Laundering

In the existing legislation concerning money laundering,[1] money laundering is defined as meaning such transactions where the money originates from criminal activities. According to the Act on Money Laundering, money laundering means acts referred to in subsection 2 of section 1 in Chapter 32 of the Penal Code. Money laundering is punishable as a receiving offence where the origin of the proceeds of crime is concealed or laundered. Thus, in order for it to be punishable, it is necessary that an offence has actually been committed. However, it is possible that terrorism is also financed with funds or assets having a lawful origin. The use of such funds or assets may only be prevented within the limits of the afore-mentioned Act.

[1] See also information given under paragraph 1.2. on the amendments to the Act on Money Laundering.

Under the existing Act on Money Laundering, all financial institutions are under an obligation to report on cases where they, in compliance with their duty to exercise care as required by the same Act or for some other reason, have suspicions as to the origin of funds or financial assets. In such cases, the institution in question must without delay inform the Money Laundering Clearing House of the National Bureau of Investigation and submit, upon request, all the relevant information and documents to the latter, for the purpose of investigation. At the same time, the said institution may suspend or refuse the transaction until the case has been further investigated. A police officer in charge of the case at the Money Laundering Clearing House may order the institution to refrain from the transaction for at most five working days if necessary for the purposes of investigation. Such an order may be given even where there is no reason to believe that an offence has taken place, as it is a measure relating to police investigations the purpose of which is to establish whether the money transaction in question may be classified as money laundering, be it a criminal act or a business transaction.

Where it is suspected that certain funds or financial assets have connections with individual terrorists or terrorist groups, and there is reason to believe that they originate from criminal activities, the money transaction in question may be ordered to be suspended for a five-day period defined by law, for the purpose of finding further evidence. Terrorism has often links with several states and therefore cooperation between the authorities of different states plays an important role in the suppression of terrorism.

The Money Laundering Clearing House is responsible for the exchange of information relating to money laundering. In cases where the investigations do not disclose any such facts as would support the suspicions as to the criminal origins of the funds or financial assets, the transaction must be allowed to continue.

International co-operation

Effective exchange of information is vital for the purpose of suppressing the financing of terrorism. As regards police cooperation in this respect, there are international agreements applicable to the cooperation between investigative and judicial authorities, such as the European Convention on Extradition, the European Convention on Mutual Assistance in Criminal Matters and the Convention on Laundering, Search, Seizure and Confiscation of Proceeds from Crime. In addition, exchange of information takes place within the framework of relevant international cooperative bodies, in particular Interpol and Europol.

The Convention on Laundering, Search, Seizure and Confiscation of Proceeds from Crime, done at Strasbourg on 8 November 1990, was implemented in Finland by a Decree. Under the Decree, the Finnish authorities shall, upon a request made by an authority of a State Party to the Convention, provide legal assistance in accordance with the Convention and the Finnish Act (4/1994) and Decree (13/1994) on International Legal Assistance in Criminal Matters.

In cases where a State Party to the afore-mentioned Convention presents a request for the freezing of funds or financial assets relating to terrorism, on the basis of an order given by a court of the said State, the court order shall be enforced in Finland in accordance with the provisions of the Convention and of the Finnish Act on International Cooperation in the Enforcement of Certain Penal Sanctions (21/1987).

It is possible for Finnish authorities to take protective measures (seizure or restraint on alienation) on the basis of a request made by the competent authority of another State if the request is accompanied by adequate evidence on that the funds or assets have links with the financing of terrorism.

> *1.4. Effective implementation of paragraph 1 of the Resolution requires an appropriate monitoring mechanism to ensure that the funds collected by organizations which have or claim to have charitable, social or cultural goals are not diverted to terrorist purposes. Please provide a progress report on the results of the working group that has been set up to review the existing legislation in this regard.*

The working group set up by the Ministry of the Interior, to review the existing legislation and to make recommendations on how the enhance the control of fundraising by organizations which have charitable, social or cultural goals, will most likely be able to give its report so that a Government Bill may be submitted to Parliament in 2004.

> *1.5. [...] The supplementary report states that, in government Bill HE 183/1999 vp, it is proposed to make participation in criminal organizations punishable and that, under that proposed provision, recruitment of members to terrorist organizations would be subject to punishment. In the same paragraph of the report, it is stated that participation in such organizations could be punished if the main offence is actually committed. This does not seem to be in full compliance with the requirements of sub-paragraph 2 (a) to criminalize recruitment to terrorist groups, regardless of the occurrence of any related terrorist act. Please explain how Finland proposes to comply with this requirement.*

Section 4 of the new Chapter 34a added to the Penal Code prohibits promotion of terrorist groups. It is applied to participation in terrorist groups, including recruitment of members, instead of the general provision prohibiting participation in criminal organizations referred to by the CTC in its question. The latter provision has already been adopted.

As far as recruitment of members to terrorist organizations is concerned, the relevant part of section 4 of Chapter 34a reads as follows:

> A person who, with the intention of facilitating or in the knowledge that his/her conduct will contribute to the criminal activities of a terrorist group as referred to in sections 1 and 2,

1) creates or organises the group, or recruits or attempts to recruit members to such a group,

[...]

shall be sentenced, where the group's activities include the commission of or an attempt to commit an offence referred to in section 1 or the commission of an offence referred to in section 2, for *promotion of a terrorist group*, to imprisonment for at least four months and at most eight years.

According to a new subsection 3 of section 7 in Chapter 1 of the Penal Code, Finnish law shall apply to an offence referred to in Chapter 34a, committed outside of Finland, irrespective of the law of the place of commission.

It was not required in the Government Bill that, in order for the promotion of a terrorist group to be punishable, the main offence must actually be committed or its planning or attempt be actually effected. This requirement was added to the provision by Parliament. It seems that the added requirement is in essence based on an opinion of the Constitutional Law Committee which has as its duty to ensure that provisions of law are in conformity with the Constitution (Opinion No 48/2002). In its Opinion, the Constitutional Law Committee referred to section 8 of the Constitution, providing for the principle of legality in criminal cases, to Article 7, paragraph 1, of the European Convention for the Protection of Human Rights and Fundamental Freedoms, and to Article 15, paragraph 1, of the International Covenant on Civil and Political Rights. According to the Constitutional Law Committee, the principle of legality entails a requirement for precise provisions of law. Prohibiting participation in criminal organizations is, in the Committee's view, is a new element in the Finnish criminal law and, therefore, there are several uncertainties relating to the limits of the prohibition. Consequently, the Constitutional Law Committee found it necessary to require that such participation may only be punished where the conduct of the terrorist group amounts, as a minimum, to the planning of terrorist offences.

In view of the important reasons presented during the Parliament discussions, relating to the protection of fundamental freedoms and human rights, the Government finds the outlined requirement of the existence of a plan to commit a terrorist offence appropriate. The Government wishes to draw attention to the fact that promotion of a terrorist group may be punished even if an offence has not actually been committed or attempted, provided that the group has planned to commit terrorist offences.

1.6 The CTC would be grateful to receive a progress report of the Aliens Act.

The Government Bill (HE 265/2002) for an overall reform of the Aliens Act was submitted to Parliament on 20 December 2002. The discussion of the Bill by the relevant Parliament committees has not been completed yet. As Parliament has not been able to discuss the Bill in a plenary session and pass it before the upcoming Parliament elections in March, the Bill will be dropped and the new Government will have to decide on the submission of a new Bill to Parliament and on its schedule. The Act was originally planned to enter into force into force at the beginning of 2004 but this is no more likely.

1.7. Effective implementation of sub-paragraphs 2 (d) and (e) of the Resolution requires a State to criminalize the acts of financing, planning and facilitating terrorist acts aimed at other States or their citizens by using the territory of Finland, even though no related terrorist acts have actually been attempted or committed. The proposed provisions in Finnish law do not seem to adequately meet this need. Could Finland please indicate how it proposes to comply with this requirement.

The financing of terrorism is covered by section 5 in the new Chapter 34a of the Penal Code. The Government notes that, in order for the financing of terrorism to be a punishable offence, it is not necessary that the funds have actually been used for the commission or an attempt of a terrorist act.

The planning of terrorist acts mainly falls within the scope of application of section 2 in the new Chapter 34a (*planning of a terrorist offence*). Punishable planning may include, *inter alia*, an agreement entered into with another person, or making a plan for the commission of a terrorist offence. In order for the planning to be punishable, it is not necessary that the offence is actually committed or attempted.

The facilitation of terrorist acts is covered, firstly, by the general provisions prohibiting participation in an offence, including aiding and abetting. In order for such participation to be punishable, it is necessary that there has been at least an attempt to commit the main offence. Secondly, facilitation not amounting to participation is covered by the provision prohibiting promotion of a terrorist group (section 4 in Chapter 34a of the Penal Code). In this respect, the reference is made to the information given under paragraph 1.5, including the reasons for the requirement that the promotion of a terrorist group may only be punished where there is a plan to commit a terrorist offence.

United Nations S/2003/280

Security Council

Distr.: General
4 March 2003

Original: English

Letter dated 3 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I refer to my letter of 6 August 2002 (S/2002/907).

The Counter-Terrorism Committee has received the attached supplementary report from the United Arab Emirates submitted pursuant to paragraph 6 of resolution 1373 (2001).

I should be grateful if you could arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

03-27491 (E) 280303

Annex

Letter dated 3 March 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the United Arab Emirates to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

With reference to your Note No. S/AC.40/2003/OC.230 dated 10 February 2003 regarding the request for further information on a number of preliminary comments/questions on the report submitted by the Government of the United Arab Emirates pursuant to paragraph 6 of Security Council resolution 1373 (2001), I have the honour to transmit herewith the follow-up report from the Ministry of Foreign Affairs of the United Arab Emirates (see enclosure).

(*Signed*) Abdulla K. **Al-Shamsi**
Chargé d'affaires a.i.

Enclosure

[Original: Arabic]

Report of the United Arab Emirates to the Counter-Terrorism Committee

Paragraph 1 of the resolution

Subparagraph 1 (a)

Do the circulars of the Central Bank mentioned in relation to this subparagraph and other subparagraphs have the force of law? If so, on what basis?

What legal and practical measures exist for the supervision of the financial operations of the holders of licenses authorizing the collection of charitable contributions?

Circulars of the Central Bank aimed at prohibiting and suppressing the financing of terrorism have the force of law by virtue of the powers conferred upon the Board of Directors of the Central Bank by articles 121 and 131 of Federal Law No. 10 of 1980 concerning the Central Bank, the monetary system and regulation of the banking profession with regard to the issuance of such circulars, notices and instructions as it deems necessary in order to regulate the banking profession.

Although audit and inspection of accounts of charitable, social and professional associations are the responsibility of the Ministry of Labour and Social Affairs, the Central Bank also plays a role in that area, as evidenced by its circular No. 24/2000, article 3, paragraph 2, which prohibits the opening of accounts for cooperative organizations and charitable, social or professional associations that have not submitted a certificate signed by the Minister of Labour and Social Affairs attesting to their status and authorizing them to open such accounts

Subparagraph 1 (b)

How is effect given in the United Arab Emirates, as a matter of domestic law, to the requirement of the Arab Convention for the Suppression of Terrorism "for the blocking and confiscation of assets and funds derived from, used in or relating to terrorist crimes"?

The various articles of the Federal Penal Code mentioned in relation to this subparagraph appear to relate only to actions directed against the internal interests of the United Arab Emirates.

According to the Constitution, the international instruments to which the State is a party are binding on the federal authorities as soon as they are ratified. Again according to the Constitution, all State institutions, including the courts, are bound in many cases to apply the provisions of the international instruments even if domestic legislation has not been adopted to that effect. That is true of the Arab Convention for the Suppression of Terrorism. The answer to the question is that domestic laws already exist that define the circumstances in which funds derived from criminal acts may be frozen and the procedures to be followed, the key text being Federal Law No. 4 of 2002, articles 2/2 and 4, which make money-laundering

a criminal offence. Article 2/2 of the Law indicates the types of criminal offences for which the funds derived therefrom may be frozen and seized; article 4 of the Law specifies the parties authorized to take such a step.

Is there any provision in the Code or another law that applies those articles to actions having a transnational character, or is any such provision proposed?

In the response relating to paragraph 2 (e), attention was drawn to the formation of a committee in the Ministry of Justice, Islamic Affairs and Religious Endowments to review the criminal laws in order to bring them into line with new international developments in combating the serious criminal offences covered by the notion of terrorism. The committee in question has completed its work and submitted proposals, some of which have to do with adding new provisions to the Penal Code so that it covers transnational acts.

Subparagraph 1 (c)

What is the time frame within which a court order can, in practice, be obtained under article 4.2.2. of the Anti-Money-Laundering Law for "the freezing or attachment of funds suspected of being intended for use in terrorist crimes or any of the crimes addressed in the international conventions to which the State is a party"?

Article 4 of Federal Law No. 4 of 2002 on money-laundering empowers the Central Bank to order the immediate freezing of suspect funds for a maximum period of seven working days and authorizes the Public Prosecutor to extend the freezing or attachment of such funds in the Office of the Public Prosecutor until the end of the investigation. If the Public Prosecutor decides to bring the matter before the competent court, it is the court that decides on the extension of the attachment for an indefinite period. In other words, when the competent court is seized of the matter, the funds in question have already been frozen, attached or confiscated, and it is the court that decides whether to extend the attachment for an indefinite period or to end it.

Subparagraph 1 (d)

What are the criteria by which, under the relevant Central Bank circular, financial institutions are required to identify transactions as suspicious and therefore reportable?

Please outline:

The "complete system of additional obligations" imposed on financial institutions by that circular, and the provisions of the other "circulars covering the banking and financial aspects of the Forty Recommendations of the Financial Action Task Force on Money Laundering (FATF)".

Please indicate the laws and procedures available to regulate alternative remittance systems, including systems of, or similar to, the kind known as hawala.

Circular No. 24/2000 dated 14 November 2000 and amendments thereto specify the international criteria to be applied in that regard, which correspond to the recommendations of the Financial Action Task Force on Money Laundering and the European anti-money-laundering recommendations.

Presently there is no law governing parallel fund transfer systems. As part of its efforts to establish the necessary rules, the State, through the Central Bank, organized a conference on the hawala system on 15 and 16 May 2002. The conference adopted a declaration (Declaration of Abu Dhabi), which contains a number of recommendations that the relevant agencies are currently examining.

Paragraph 2 of the resolution

Subparagraph 2 (a)

As with the articles of the Federal Penal Code mentioned in relation to subparagraph 1 (b), the articles mentioned in relation to this subparagraph appear to relate only to actions directed against the internal interests of the United Arab Emirates. Is there any provision in the Code or another law that applies those articles to actions having a transnational character, or is any such provision proposed?

In the response relating to paragraph 2 (e), attention was drawn to the formation of a committee in the Ministry of Justice, Islamic Affairs and Religious Endowments to review the criminal laws in order to bring them into line with new international developments in combating the serious criminal offences covered by the notion of terrorism. The committee in question has completed its work and submitted proposals, some of which have to do with adding new provisions to the Penal Code so that it covers transnational acts.

Please outline the provisions of the Firearms, Ammunition and Explosives Law, and any other provisions, relating to the eligibility of persons for the grant of a licence to possess, acquire or carry a firearm or explosive substance and to the suspension and cancellation of licences granted, and the law relating to the import and export of firearms, other weapons and explosives.

With regard to the provisions of the legislation on firearms, ammunition and explosives, it should be pointed out that under article 1 of Federal Law No. 11 of 1976, as amended, firearms, ammunition and explosives are defined as follows:

Subparagraph (b):

The word weapon means "any firearm of any kind whatsoever and any component or spare part relating to such weapon; this definition covers all types of rifle, pistol and submachine gun".

Subparagraph (e):

The word explosive means "all explosive substances of any kind whatsoever, instruments used to cause such substances to explode, primers and explosive substances and solutions such as nitroglycerine".

Article 2 of the aforementioned Law stipulates that: "It shall be prohibited for any natural or juridical person to purchase, carry, trade in or use in any way whatsoever firearms, ammunition or explosive substances unless such persons are in possession of a licence issued for that purpose by the competent authority in accordance with the provisions of the law. The aforementioned provision does not apply to the defence, police and security forces.

As to the eligibility of persons for the grant of a licence to own, possess or carry firearms or explosive substances and the provisions relating to the suspension and cancellation of licences granted, it should be pointed out that:

Article 134 of Federal Law No. 11 of 1976 provides that:

> "This Law shall be without prejudice to the right enjoyed exclusively by citizens to keep in their homes such rifles and pistols as they may need for their own use in order to defend themselves, together with the necessary ammunition, provided that such citizens have obtained from the competent authority a licence to purchase weapons".

Article 12 of the same Law stipulates that no licence shall be issued:

1. To persons who have been convicted of assault on others;

2. To suspects, fugitives from justice and persons placed under police surveillance;

3. To persons convicted of carrying weapons during the commission of criminal offences in which weapons were used;

4. To persons suffering from mental or psychological illnesses;

5. To persons aged under 21 years;

6. To alcoholics or drug addicts.

Articles 24 and 25 define the modalities for the import and export of weapons and ammunition; in this regard, article 24 provides that:

> "The competent authority may issue licences for the manufacture or export of weapons, ammunition or explosives only after obtaining the consent of the Council of Ministers."

Article 25 stipulates that:

> "Any person wishing to obtain a permit to carry on a business connected with firearms, ammunition or explosives (manufacture, repair, sale, import or export) shall be obliged to conform to the conditions laid down by the competent authority pursuant to the ordinances adopted by the competent minister in application of the provisions of this Law."

In addition, article 6 of decision No. 22 of 1977 of the Minister of the Interior specifies the following conditions for eligibility for the grant of a licence to carry, possess or trade in firearms and ammunition: "Subject to the provisions of the preceding article, the applicant must enclose the following documents with his application:

1. A certificate from the police or security services confirming:

(a) That he has no criminal record;

(b) That he is not under police surveillance.

2. A birth certificate confirming that he is 21 years of age; if it is not possible to obtain such a document, an estimate of the applicant's age may be accepted, provided that it is issued by the competent medical services of the Ministry of Health.

3. Where there is doubt as to the state of the applicant's health, a medical certificate drawn up by the competent medical services of the Ministry of Health confirming:

(a) That he is of sound mind and is not suffering from any mental, psychological or neurological illness;

(b) That he is not a drug addict or an alcoholic.

The competent authority must verify that the applicant is a citizen of the United Arab Emirates by checking his certificate of nationality and noting its number.

Article 7 of the same decision provides that:

> "No licence referred to in article 4 of this decision may be issued without the consent of the State Security Services."

With regard to the provisions relating to the import of weapons and ammunition, attention should be drawn to article 4 of Federal Law No. 11 of 1976, which stipulates that:

> "Licences for the import of firearms and ammunition shall be issued by the competent department of the Ministry of Defence in accordance with the provisions of this Law."

Please outline the measures, both legislative and practical, preventing entities and individuals from recruiting, collecting funds or soliciting other forms of support for terrorist activities to be carried out inside or outside the United Arab Emirates, including, in particular, the carrying out of recruiting, collecting of funds and soliciting of other forms of support in other countries.

The Arab Convention for the Suppression of Terrorism, which has been ratified by the United Arab Emirates, contains the following provisions in article 3, paragraph 1, subparagraph 1:

States parties undertake:

> To prevent the use of their territories in any way whatsoever for the planning, organization, execution or commission of terrorist crimes or for participation in such crimes, including by adopting measures to prevent terrorist elements from infiltrating, seeking refuge or residing in their territories, either individually or collectively, and from being trained, armed or financed therein.

Likewise, part two, article 4, stipulates that States parties shall undertake to exchange information on the sources of financing of terrorist groups and of their leaders and members and that, at the practical level, the security services should coordinate their respective efforts to prevent the mobilization of funds by groups or individuals with a view to their use in terrorist acts.

Please outline the measures, both legislative and practical, preventing entities and individuals from recruiting, collecting funds or soliciting other forms of support for terrorist activities to be carried out inside or outside the United Arab Emirates, including, in particular, the carrying out, within or from the United Arab Emirates, of recruiting, collecting of funds and soliciting of other forms of support from other countries, and deceptive activities such as

recruitment based on a representation to the recruit that the purpose of the recruitment is one different from the true purpose and collection of funds through front organizations.

Given that articles 149 and 150 (c) of the Federal Penal Code (Law No. 3 of 1987) provide penalties for any person who mobilizes troops or men or who collects funds, provisions, munitions or any other article for illicit purposes, it is inconceivable that persons could be recruited for purposes other than the actual purpose.

Likewise, funds may only be collected with an official permit issued by the competent State authorities, and such permits are granted only to entities authorized by those authorities.

Subparagraph 2 (b)

Please provide particulars of the increases in the penalties for perpetrators of crimes of extremism and terrorism, as mentioned in relation to this subparagraph. Are the increases the result of legislation or of changes in judicial sentencing practice?

This question has already been answered in relation to subparagraph 1 (b); it should be made clear that the increases in question come within the framework of the proposed amendments to the Federal Penal Code (Law No. 3 of 1987).

In what respect has national legislation been aligned with international conventions relating to terrorism, as mentioned in relation to this paragraph?

The international instruments relating to terrorism ratified by the United Arab Emirates have been promulgated by federal decrees published in the *Official Gazette*. They are thus an integral part of domestic law, which all the parties concerned, each in his area of competence, undertake to apply. Attention has been drawn to the establishment of a committee charged with revising the Federal Penal Code (Law No. 3 of 1987), which is required, inter alia, to take into account issues arising from international instruments that require action by legislators.

Subparagraph 2 (c)

Please outline the basis on which eligibility for the grant of visas, entry permits and residence permits is determined.

Chapter 3 of Interior Ministry decision No. 360 of 1997 promulgates the implementing regulations for Federal Law No. 6 of 1973, which establishes the basis on which foreigners may enter the country and reside there, lists the various types of entry permits and visas and defines criteria for their issuance and for application procedures.

Article 23 of that same decision contains the following wording:

"Conditions to be fulfilled by foreigners in order to obtain an entry permit for the purpose of taking up employment

1. When the recruiting entity is a private enterprise, it must obtain authorization from the Ministry of Labour, which verifies the validity of the permit to exercise the business activity.

2. When the recruiting entity is a public-sector enterprise, body or institution, it must apply directly to the department dealing with nationality issues; that department issues the permit on the basis of the decision by the competent authority appointing the person concerned.

3. If the recruiting entity is a foreign or international body, the application shall be made as follows:

(a) The employer must be an embassy, consulate, international body or institution, Arab or foreign social body, church, or embassy school;

(b) The recruitment must be for a non-diplomatic administrative post, since the application is to be approved by the Ministry of the Interior."

Article 28 of the same decision sets out the conditions to be met by those applying for entry or residence permits:

"1. Rejoining the father, mother or guardian;

2. Being enrolled at a university, faculty or institute in the United Arab Emirates;

3. Participating in a training course or specialized course in a public-sector company or body;

4. For foreign women, having at least one child by a deceased or divorced husband who is a citizen of the United Arab Emirates;

5. For holders of foreign passports, being the parent or child of a male citizen of the United Arab Emirates;

6. For holders of foreign passports, being the husband or child of a female citizen of the United Arab Emirates;

7. For the foreign wife of a citizen of a member State of the Gulf Cooperation Council, holding a valid residence permit for the State of which her husband is a citizen, provided that the arrangement is reciprocal;

8. Being a family member of a foreign woman exercising a highly specialized or important profession such as medicine, engineering or teaching and having the qualifications described in paragraph 4 (f) of article 23 of the aforementioned legal instrument, provided that sponsorship requirements are complied with."

The provisions of article 38 are as follows:

"Single entry permit

This type of visa is issued as needed, by the department dealing with nationality and residence issues and in foreign countries by the consular services of the United Arab Emirates, to foreigners wishing to travel to the Emirates for the following purposes:

1. Visiting a friend or relative who is legally resident in the country;

2. Visiting a public- or private-sector legal person;

3. Visiting for purposes of tourism, where the visit is organized by a company or body operating in the tourism sector."

Subparagraph 2 (d)

Is there any provision that criminalizes behaviour of the kind to which article 166 of the Federal Penal Code relates in situations in which the United Arab Emirates is not placed "in danger of war or of the severance of political relations" or is any such provision proposed?

We have already answered this question in the context of paragraph 1 (b). A new draft article has been proposed, to penalize any person who receives military training or takes part in terrorist operations not directed at the State, or who belongs to a terrorist association, institution, organization or group even if the criminal activities of that entity are not directed against the United Arab Emirates.

How is the prohibition in the Arab Convention for the Suppression of Terrorism against the use of the territory of a State as a base for the planning or commission of terrorist crimes given effect to as a matter of domestic law?

We have already answered this question in the context of paragraph 1 (b).

How is that prohibition applied in relation to countries that are not parties to that Convention?

In such cases, reference is made to the relevant provisions of international law.

Subparagraph 2 (e)

Please provide a detailed outline of the changes to the Federal Penal Code mentioned in relation to this subparagraph.

As stated above, the committee responsible for reviewing the Federal Penal Code has drafted proposal to penalize a number of criminal offences, either through the drafting of new legislation or by bringing existing provisions into conformity by introducing more severe penalties; you will be informed as soon as the proposed amendments become law.

What is the competence of the courts of the United Arab Emirates to deal with criminal acts of each of the following kinds:

- **An act committed outside the United Arab Emirates by a person who is a citizen of, or habitually resident in, the United Arab Emirates (whether that person is currently present in the United Arab Emirates or not)**

Article 21 of the Federal Criminal Code (Act No. 3 of 1987) penalizes any person who is present in the country after having committed or been a party to an international crime; this includes acts of international terrorism.

- **An act committed outside the United Arab Emirates by a foreign national who is currently in the United Arab Emirates?**

The aforementioned article 21 of the Federal Criminal Code (Act No. 3 of 1987) also penalizes any person of foreign nationality who commits such acts.

Subparagraph 2 (f)

What arrangements exist for the assistance of, and cooperation with, countries that are not parties to the Arab Convention for the Suppression of Terrorism?

These arrangements are made bilaterally in accordance with the principle whereby effective measures of international cooperation are to be taken to combat crimes of this type.

What is the legal time frame within which a request for judicial assistance in criminal investigations or criminal proceedings (especially those relating to the financing or other support of terrorist acts) must be met and how long, on average, does it actually take in practice to implement such a request in the United Arab Emirates?

Because of variations in the forms of requests for judicial assistance and judicial procedures, it is not possible to state precisely how much response time is needed; it depends on a great number of factors, particularly the extent to which the documents and evidence submitted by the requesting State are complete.

Subparagraph 2 (g)

Please describe the mechanism for inter-agency coordination between the authorities responsible for narcotics, financial tracking and security, with particular regard to border controls necessary to prevent the movement of terrorist groups.

How does the United Arab Emirates secure its extensive borders against unauthorized crossings?

The United Arab Emirates secures its borders against unauthorized crossings by means of:

(1) The relevant branches of the armed forces, pursuant to Federal Decree-Law No. 1 of 2001 concerning the surveillance of land and sea frontiers; they control land borders, highways and other routes, combat smuggling and illicit land-border crossings and report promptly on any suspect activity.

(2) The unit responsible for guarding land borders with neighbouring States, which patrols continuously and report any suspect activity.

(3) Coordination among all Government departments.

Paragraph 3 of the resolution

Subparagraphs 3 (a), (b) and (c)

Is there an institutional mechanism for implementing subparagraphs 3 (a), (b) and (c) of the resolution?

The institutional mechanisms for the implementation of those subparagraphs are:

(a) The Organized Crime Section in the Criminal Investigation Department (implementation of international agreements for the prevention of terrorist acts);

(b) The Monitoring Section in the Criminal Investigation Department (implementation of national legislation for the prevention of terrorist acts).

Subparagraph 3 (c):

Please provide:

Lists of the countries with which the United Arab Emirates has concluded memoranda of understanding on counter-terrorism and of the countries with which it is contemplating entering into bilateral agreements, as mentioned in the report; and

An outline of a representative example of those instruments.

Which are the States with which the United Arab Emirates has cooperated in the extradition of persons proved to have been implicated in terrorist activities?

What is the legal basis for extradition and mutual assistance in criminal and judicial matters in the United Arab Emirates? In particular:

Are they contingent, in any respect, on the existence of bilateral treaties? If so, please provide separate lists of the countries with which the United Arab Emirates has concluded bilateral treaties in relation to: (i) extradition; and (ii) mutual assistance.

Are they governed, in any respect, by legislation? If so, please outline the legislation.

The United Arab Emirates has no legislation which deals specifically with the extradition of criminals, since that issue is governed by the international and bilateral agreements to which it is party. The United Arab Emirates has already cooperated with India in the extradition of persons implicated in terrorist activities.

The United Arab Emirates is striving to conclude comprehensive legal agreements with other States in order to lay down, inter alia, the rules governing extradition. In that connection, the following comprehensive agreements and extradition conventions have been concluded:

(1) Comprehensive agreement with the Republic of Tunisia — Decree No. 32 of 1975;

(2) Comprehensive agreement with the Kingdom of Morocco — Decree No. 80 of 1978;

(3) Comprehensive agreement with the Syrian Arab Republic — Decree No. 12 of 1980;

(4) Arab Convention for the Suppression of Terrorism — Decree No. 103 of 1998;

(5) Comprehensive agreement with the Arab States (Riyadh Agreement) — Decree No. 53 of 1999;

(6) Comprehensive agreement with the Hashemite Kingdom of Jordan — Decree No. 106 of 1999;

(7) Comprehensive agreement with the Arab Republic of Egypt — Decree No. 83 of 2000;

(8) Comprehensive agreement with the Republic of India — Decree No. 33 of 2000;

(9) Extradition convention with the Arab States — Decree No. 29 of 1972;

(10) Agreement on mutual legal assistance with the Somali Democratic Republic — Decree No. 95 of 1982;

(11) Agreement on mutual legal assistance with the Republic of Algeria — Decree No. 12 of 1984;

(12) Agreement on mutual legal assistance with the French Republic — Decree No. 31 of 1992;

(13) Agreement on mutual legal assistance with the States members of the Gulf Cooperation Council — Decree No. 41 of 1996;

(14) Instrument of accession to the United Nations Convention against Narcotic Drugs — Decree No. 55 of 1990.

Have the offences set forth in the relevant international conventions and protocols on terrorism been included as extraditable offences in the bilateral treaties to which the United Arab Emirates is party?

The extradition agreements to which the United Arab Emirates is party include all offences; therefore the offences set forth in the relevant international conventions and protocols on terrorism are included in the bilateral treaties to which the United Arab Emirates is party.

Subparagraphs 3 (d) and (e):

The Committee on Counter-Terrorism would welcome a report, in relation to the relevant international conventions and protocols relating to terrorism, on the progress made by the United Arab Emirates in:

Becoming a party to the instruments to which it is not yet a party; and

Enacting legislation, and making other necessary arrangements, to implement the instruments to which it has become a party.

The United Arab Emirates has completed its examination of the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and is on the verge of completing the constitutional ratification procedure. The remaining conventions are still under review.

Have the offences set forth in the relevant international conventions and protocols been included as extraditable offences in the relevant bilateral treaties (if any) to which the United Arab Emirates is party?

That question has already been answered in the response to subparagraph (c) (see above).

How does the United Arab Emirates discharge the obligation on States to legislate with respect to matters specified in the relevant international conventions and protocols or to include particular provisions in bilateral treaties?

A committee responsible for reviewing the Federal Penal Code (Law No. 3 of 1987) has been set up. The proposed amendments to the Code take account of the obligations laid down in the relevant international conventions.

Subparagraph 3 (g):

Please outline in more detail the legal provisions mentioned in relation to this subparagraph as restricting participation in "political activity ... that may involve terrorist acts", with particular reference to any differences in their application in relation to States that are parties to the Arab Convention for the Suppression of Terrorism and in relation to those that are not.

In that connection, we would like to draw attention to the relevant articles of the Federal Penal Code (Law No. 3 of 1987), namely articles 180 to 182, and to the proposed amendments to those articles which provide for greater freedom in the application of the provisions of the Code to terrorist crimes and the confiscation of related funds. Those amendments are general texts which apply regardless of whether or not the State is a party to the Arab Convention for the Suppression of Terrorism.

Is it possible under the law of the United Arab Emirates for requests for the extradition of alleged terrorists to be refused on political grounds?

Nothing in the legislation of the United Arab Emirates can prevent the extradition of alleged terrorists on political grounds, subject to the provisions of article 38 of the Constitution of the United Arab Emirates and article 2 (a) of the Arab Convention for the Suppression of Terrorism.

What is the position in relation to extradition requests by States that are not parties to the Arab Convention for the Suppression of Terrorism?

As regards States that are not linked to the United Arab Emirates by means of an agreement, the rules of international law are applicable, with due regard for the issues mentioned in the previous answer.

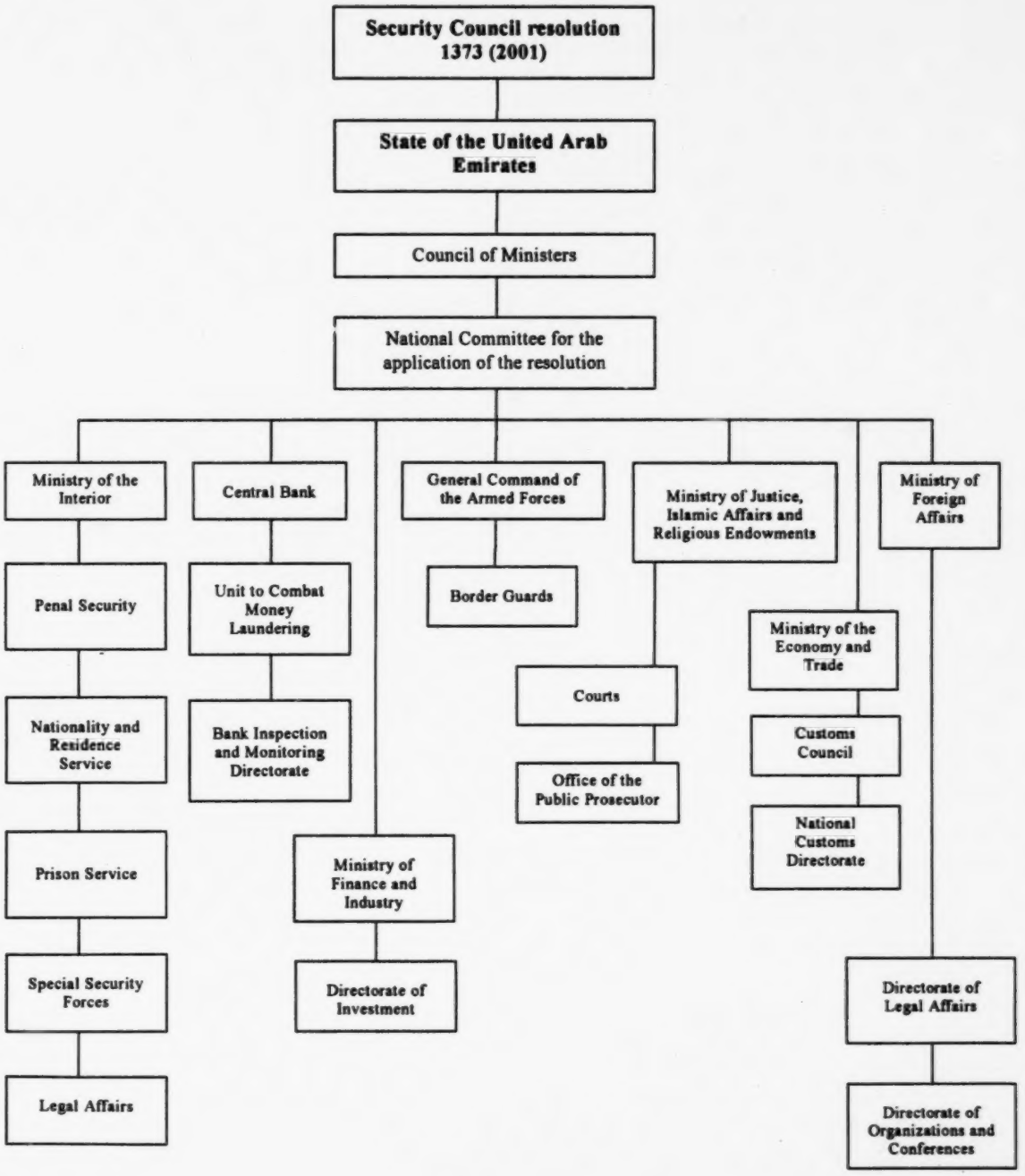
Paragraph 4 of the resolution

Has the United Arab Emirates addressed any of the concerns expressed in paragraph 4 of the resolution?

The United Arab Emirates is striving to increase the effectiveness of regional and international cooperation in order to support international action to combat terrorism and the threat it poses to the international community. In that connection, the Central Bank's unit to combat money-laundering and other suspicious cases has been accepted as a permanent member of the Egmont Group, which provides a specialized framework for the exchange of financial information among its members. At the domestic level, the national anti-money-laundering committee plays an effective role in that field. The United Arab Emirates also cooperates with a number of States in strengthening export monitoring systems with a view to preventing terrorist groups from acquiring certain materials, technologies and weapons of mass destruction.

Other matters

Could the United Arab Emirates please provide an organizational chart of its administrative machinery, such as police, immigration control, customs, taxation and financial supervision authorities, established to give practical effect to the laws, regulations and other documents that are seen as contributing to compliance with the resolution?


Security Council resolution 1373 (2001)
State of the United Arab Emirates
Council of Ministers
National Committee for the application of the resolution
Ministry of the Interior
Penal Security
Nationality and Residence Service
Prison Service
Special Security Forces
Legal Affairs
Central Bank
Unit to Combat Money Laundering
Bank Inspection and Monitoring Directorate
Ministry of Finance and Industry
Directorate of Investment
General Command of the Armed Forces
Border Guards
Ministry of Justice, Islamic Affairs and Religious Endowments
Courts
Office of the Public Prosecutor
Ministry of the Economy and Trade
Customs Council
National Customs Directorate
Ministry of Foreign Affairs
Directorate of Legal Affairs
Directorate of Organizations and Conferences

United Nations S/2003/281

Security Council

Distr.: General
6 March 2003
English
Original: Arabic

Identical letters dated 5 March 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I wish to transmit to you herewith the daily report on the activities carried out by the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq on 5 March 2003.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Permanent Representative

03-27108 (E) 120303 120303

Annex to the identical letters dated 5 March 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

Activities of the IAEA and UNMOVIC inspection teams in Iraq

Activities of inspection teams carried out on Thursday, 5 March 2003

I. IAEA inspection team

Group I

The group left the Canal Hotel in Baghdad at 9 a.m. Using instruments carried in one of the vehicles, it took on-site radiological readings at a compound containing State and mixed sector companies in the Za`faraniyah district in order to detect any traces of radioactivity. After completing its three hour mission, the group returned to the hotel.

Group II

The group left the Canal Hotel in Baghdad at 9 a.m. and went to the Armus State Company. It met with the general manager of the company and asked him what the name Armus meant, what the company's primary activities were, what its relations with the Military Industrialization Corporation (MIC) were and what type of products it imported from abroad. It then examined the company's sales records and photographed relevant documents. After completing its five hour mission, the group returned to the hotel.

Group III

The group left the Canal Hotel in Baghdad at 12.30 a.m. and went to the computer centre of the Mortgage Bank, which operates under the Ministry of Finance. It met with the Director of the centre and asked about the type of computers used currently and in the past, the nature of the centre's activities and the number of staff that it employed. It then inspected the centre's entire premises. After completing its two hour and forty minute mission, the group returned to the hotel.

II. Biological inspection team

Group I

The group left the Canal Hotel in Baghdad at 9 a.m. and went to the Basha`ir Commercial Agencies Company, Ltd. It met with the company director and asked him about the company's commercial dealings. After completing its three hour mission, the group returned to the hotel.

Group II

The group left the Canal Hotel in Baghdad at 8.40 a.m. and went to the Aziziyah Firing Range. It inspected the site and photographed fragments of

destroyed artillery shells. After completing its two hour mission, the group returned to the hotel.

Group III

A helicopter carrying four inspectors took off from Rashid airfield at 10.30 and flew to the Mu'tasim airfield, operated under the Ministry of Defence. The group met with airfield officials and asked about the number and type of Masirah aircraft, the date on which they had been tested, the primary modifications made to them and their end-users. It then inspected the hangar containing the Masirah aircraft. After completing its four hour and forty minute mission, the group returned to the hotel.

III. UNMOVIC inspection team (missiles)

Group I

The group left the Canal Hotel in Baghdad at 8.30 a.m. and went to the headquarters of the Taji Technical Battalion. It observed the destruction of nine Sumud-2 missiles. After completing its four hour mission, the group returned to the hotel.

Group II

The group left the Canal Hotel in Baghdad at 8.30 a.m. and went to the Ibn Al-Haytham site of the Karamah State Company, a MIC affiliate. It met with site officials and discussed matters relating to the destruction of the Sumud-2 missiles. It then went to the headquarters of the Taji Technical Battalion in order to observe the destruction of the missiles before returning to the Sumud site of the Karamah State Company, where it removed the contents and casts of the Sumud-2 missiles. After completing its six and a half hour mission, the group returned to the hotel.

Group III

The group left the Canal Hotel in Baghdad at 8.30 a.m. and went to the Ma'mun Factory, an affiliate of the Rashid State Company. It observed the destruction of the second casting chamber. After completing its eight hour mission, the group returned to the hotel.

IV. UNMOVIC joint inspection team in Mosul

The group left the Nineveh Palace Hotel in Mosul at 9 a.m. and went to the headquarters of the Mosul Gas Electrical Plant, an affiliate of the Electricity Commission. It met with the company director and asked him about the number of employees, the date of the company's establishment, its primary activities and its optimal capacity. It then inspected the company's entire premises. After completing its one and a half hour mission, the group returned to the hotel.

V. UNMOVIC inspection team (chemical)

Group I

The group left the Canal Hotel in Baghdad at 8.40 a.m. and went to the Qu'aqu'a State Company. It inspected the Khalid plant and examined the sealed equipment. After completing its one hour mission, the group returned to the hotel.

Group II

The group left the Canal Hotel in Baghdad at 9 a.m. and went to the abandoned site of the Muthanna State Establishment, a MIC affiliate. It observed the destruction of chemical substances and took samples. After completing its four hour mission, the group returned to the hotel.

VI. Surveillance flight

From 10.20 a.m. to 11.30 a.m., a Mirage IV surveillance aircraft flew over Iraqi territory. At 12.15 p.m., it re-entered Iraqi airspace and flew over several sectors. The aircraft left Iraqi territory at 12.40 p.m. The surveillance operation lasted one hour and forty minutes.

VII. Meetings

UNMOVIC requested a private interview with an Iraqi scientist in a Baghdad hotel. The National Monitoring Directorate informed him of the request and encouraged him to attend the meeting. The meeting did in fact take place.

United Nations S/2003/282

Security Council

Distr.: General
6 March 2003

Original: English

Letter dated 5 March 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to inform you that the Government of the Republic of Sudan wishes to have retained on the list of matters of which the Security Council is seized, item 4 in paragraph 8 of the summary statement by the Secretary-General on matters of which the Security Council is seized and on the stage reached in their consideration (document S/2003/40 of 14 February 2003), namely the item entitled "Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General (S/3963)".

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Omar Bashir **Manis**
Chargé d'affaires a.i.

03-27070 (E) 070303

United Nations S/2003/283

Security Council

Distr.: General
7 March 2003

Original: English

Letter dated 7 March 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Malaysia to the United Nations addressed to the President of the Security Council

I have the honour to write to you in my capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement regarding the reports of Dr. Hans Blix, Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission, and Dr. Mohamed ElBaradei, Director General of the International Atomic Energy Agency, to be presented to the Security Council on 7 March 2003, and the anticipated actions by the Council on the resolution on Iraq that would take place next week.

The Non-Aligned Movement believes that the reports of Dr. Blix and Dr. ElBaradei, together with the new proposals that have recently been introduced, would be of assistance to the Security Council as it considers how to respond to the situation in Iraq. The Non-Aligned Movement firmly believes that the Council would benefit from hearing the views of the wider international community on these reports and proposals, which have serious implications for international peace and security.

On behalf of the Non-Aligned Movement, I therefore respectfully request that the Security Council consider convening an open debate in order to afford the rest of the Members of the United Nations the opportunity to express their views on these new developments pertaining to Iraq.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) **Zainuddin** Yahya
Chargé d'affaires a.i.

03-27169 (E) 070303

United Nations S/2003/284

Security Council

Distr.: General
7 March 2003
English
Original: French

Letter dated 4 March 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the statement by the President of the Security Council dated 3 May 1994 (S/PRST/1994/22). In the paragraphs of this statement dealing with stand-by arrangements, the Council requested me to report at least once a year on the progress of the arrangements for stand-by units and resources.

Pursuant to the Council's request, periodic reports on these arrangements have been submitted to the Council since 1994. During this period also, Member States have been consulted on the continuous improvements that have been made in the arrangements. In addition, the Secretariat continues to brief troop-contributing countries each year on the subject. Progress with this initiative is also included in the annual report to the Special Committee on Peacekeeping Operations.

In order to avoid the unwarranted proliferation of reports, and in accordance with action 11 of my report on the strengthening of the United Nations (A/57/387 and Corr.1), I propose to consolidate the reporting on the Organization's arrangements for stand-by units and resources in the annual report to the Special Committee on Peacekeeping Operations. Troop-contributing countries will continue to receive each year an oral briefing on the subject.

I should be grateful if you would agree to the above proposal.

(*Signed*) Kofi A. **Annan**
Secretary-General

03-27231 (E) 070303 070303

United Nations S/2003/285

Security Council

Distr.: General
7 March 2003
English
Original: French

Letter dated 7 March 2003 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 4 March 2003 (S/2003/284) concerning the reporting on the progress of the arrangements for stand-by units and resources has been brought to the attention of the members of the Security Council, who have agreed to your proposal to consolidate the reporting in the annual report to the Special Committee on Peacekeeping Operations.

(*Signed*) Mamady **Traoré**
President of the Security Council

03-27237 (E) 070303 070303

United Nations S/2003/286

Security Council

Distr.: General
7 March 2003
English
Original: Arabic

Identical letters dated 6 March 2003 from the Permanent Representative of Iraq addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I wish to transmit to you herewith the daily report on the activities carried out by the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq on 6 March 2003.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Permanent Representative

03-27278 (E) 110303 110303

Annex to the identical letters dated 6 March 2003 from the Permanent Representative of Iraq addressed to the Secretary-General and to the President of the Security Council

Activities of the IAEA and UNMOVIC inspection teams in Iraq

Inspection activities on Thursday, 6 March 2003

I. IAEA inspection team

Group I

The Group left the Canal Hotel at 8.50 a.m. and went to the Sa'd State Company, one of the companies of the Military Industrialization Corporation (MIC). The Group interviewed the director of the company, asking him about the company's activities, the number of centres belonging to it, what projects had been entrusted to it, whether it worked on behalf of the Ministry of Industry, and whether there were projects with the Qa'qa' State Company. The Group then inspected the premises of the company and checked the files and computers. The Group concluded its mission, which lasted four hours and twenty minutes, and then returned to the Canal Hotel.

Group II

The Group left the Canal Hotel at 8.50 a.m. and went to the Abd al-Majid Hudaythi Import-Export Company, which belongs to the private sector. The Group checked all the files at the company and then copied the hard drive of one of the company's computers. It then inspected all the departments of the company, concluded its mission, which lasted five hours and twenty minutes, and then returned to the Canal Hotel.

Group III

The Group left the Canal Hotel at 8.40 a.m. and made a vehicle-borne radiation survey of the Hammad Shihab military hospital, the military medical stores belonging to the Ministry of Defence, and the Husayniyah residential area, covering both main and minor streets. The Group concluded its mission, which lasted three hours, and then returned to the Canal Hotel.

II. UNMOVIC inspection team (biological)

The team left the Canal Hotel at 8.30 a.m. and went to the bomb destruction site in the Aziziyah area. The team took soil and bomb samples and checked the work that was in progress. The team then went to the corn-drying facility, affiliated with the Mesopotamia Company which belongs to the Ministry of Agriculture, and asked about the date when the facility was established, about the trucks entering it and what kind of relationship it had with the headquarters of the Company in Abu Ghurayb. The team then opened four containers containing seed-sifting equipment belonging to a factory under construction in the Aziziyah area. The team then went to the site where the factory was under construction in Aziziyah, checked the work in progress there and asked when the construction work would be completed. The

team concluded its mission, which lasted four hours and ten minutes, and then returned to the Canal Hotel.

III. UNMOVIC inspection team (missiles)

Group I

The Group left the Canal Hotel at 8.30 a.m. and went to the Taji Technical Battalion which belongs to the Ministry of Defence where it observed the process of destroying Samoud 2 missiles. The Group concluded its mission, which lasted three hours and twenty minutes, and returned to the hotel.

Group II

The Group left the Canal Hotel at 8.50 a.m. and went to the Mu`tasim State company which belongs to the Rashid State Company, an MIT company. The Group observed the final stages of the destruction of the casting chambers. The Group then went to the Qa`qa` State Company and tagged the warheads of the Samoud 2 missiles. The Group concluded its mission, which lasted three hours, and then returned to the hotel.

Group III

The Group left the Canal Hotel at 8.30 a.m. and went to the Samoud factory of the Karamah State Company. The Group inspected all the buildings and departments of the factory to verify that no parts had any connection with the Samoud 2 missiles. The Group concluded its mission, which lasted two hours, and then returned to the Canal Hotel.

IV. UNMOVIC inspection team (chemical)

The team took off from Rashid airfield in a helicopter at 8.30 a.m. and went to the Akashat mine which belongs to the State Phosphate Company. The team interviewed the director of the site, asking him about the number of employees, the number of holders of higher university diplomas, the changes at the site since 1998, the entities that used the output of the mine and the activities of the laboratories. The team concluded its mission, which lasted three hours, and then returned to Rashid airfield.

V. UNMOVIC joint inspection team in Baghdad

The team, comprising three inspectors, took off from Rashid airfield on board a helicopter and conducted a reconnaissance of an open area near the Badush Dam using video and photographic cameras and then made a reconnaissance of the Sinjan Cement Works and the surrounding area. It also photographed the area using thermal, video and photographic cameras. The team concluded its mission, which lasted thirty minutes, and then returned to Rashid airfield.

VI. Mirage reconnaissance aircraft

The Mirage-4 reconnaissance aircraft entered Iraqi airspace at 10.30 a.m., left at 11.25 a.m., and then re-entered Iraqi airspace at 11.37 a.m. It left Iraqi airspace at 1.05 p.m. The reconnaissance lasted two and a half hours.

VII. UNMOVIC joint inspection team in Mosul

The team left the Nineveh Palace Hotel at 9 a.m. and went to the North Gas Company which belongs to the Ministry of Oil in Ta'mim governorate. The team asked about the company, its subsidiaries, its products and sources of funding. The team then inspected the storage area using a chemical detection device. The team concluded its mission, which lasted three hours and twenty minutes, and then returned to the Nineveh Palace Hotel.

United Nations A/ES-10/221–S/2003/287

General Assembly
Security Council

Distr.: General
7 March 2003

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-eighth year

Identical letters dated 7 March 2003 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Israeli military campaign being carried out against the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, continues to widen in both scope and scale. Late yesterday, Thursday, 6 March, following intense raids, the Israeli occupying forces reoccupied areas under full Palestinian control around the towns of Beit Hanoun, Beit Lahiya and the Jabaliya refugee camp in the northern Gaza Strip. Nearly 100 tanks and armoured vehicles seized positions in the area, including taking over a Palestinian police base and an elementary school, blocked roads and dug trenches, and took up several sniper positions on building rooftops and around fields. Israeli bulldozers also razed and destroyed orchard trees and farmland in the area. This reoccupation of Palestinian territory by the Israeli occupying forces is indicative of the intentions of Israel, the occupying Power, to continue to pursue and escalate its military campaign in these densely populated civilian areas, certain to bring only more devastation and suffering to the Palestinian people.

In this regard, the death toll of Palestinians killed by the Israeli occupying forces in the Occupied Palestinian Territory continues to tragically rise. In the three days since our last letter to you (A/ES-10/220-S/2003/239), 21 Palestinian men, women and children have been killed in raids and assaults carried out by the Israeli occupying forces and dozens of Palestinians have been wounded.

As in recent days and weeks, Israel, the occupying Power, has continued to intensely target specific Palestinian civilian areas in the Gaza Strip. In the pre-dawn hours of yesterday, the Israeli occupying forces invaded the Jabaliya refugee camp, using both tanks and helicopter gunships. At least eight Palestinians were killed by Israeli tank fire directed at a group of Palestinians trying to salvage furniture from a woodwork shop that was ablaze and more than 100 people were wounded in the

03-27219 (E) 070303

attack. Many of the killed and wounded were children. Also yesterday in Gaza, the occupying forces launched several helicopter missile attacks in Jabaliya, killing a 61-year-old Palestinian man, Mohammed Shihdeh Al-Biyari, and wounding more than 20 Palestinians, and shot dead 2 other Palestinian men, one of them a policeman. The carnage continued today with 3 Palestinians killed and more than another 15 wounded by the occupying forces in the area.

The killings committed yesterday by the Israeli occupying forces were not, however, confined to the Gaza Strip. Indeed, the occupying forces continued to carry out raids and assaults and other illegal practices and measures throughout the Occupied Palestinian Territory. In this regard, yesterday, a 55-year-old Palestinian woman, Khairiyeh Mahmoud Alawneh, a mother of eight children, was killed by the occupying forces as she herded her sheep in a field near the city of Jenin. Also, among those killed were a 15-year-old Palestinian boy, killed during raids by the occupying forces in the Old City of Nablus, and a Palestinian man shot dead by Israeli soldiers in Bethlehem.

All of these brutal killings, in addition to the thousands of other killings of Palestinians by the Israeli occupying forces since September 2000, have been committed before the eyes of the world with no consequences to the occupying Power. It is this culture of impunity that has allowed Israel to continue relentlessly committing serious violations and grave breaches of international law and international humanitarian law, in particular the fourth Geneva Convention, in all of its policies and practices towards the Palestinian civilian population under its occupation.

This letter is in follow-up to our previous 160 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 4 March 2003 (A/ES-10/220-S/2003/239), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my regret to inform you that, since our last letter to you, the Israeli occupying forces have killed at least 21 Palestinians, including children, raising the total number of martyrs to 2,224 Palestinians. (The names of the martyrs that have been identified thus far are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Somaia **Bargnouti**
Chargé d'affaires a.i.

Annex to the identical letters dated 7 March 2003 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem*

(Thursday, 6 March, to Friday, 7 March 2003)

Thursday, 6 March 2003

1. Mohammed Jamal Mohsen (14 years old)
2. Thaer Jabr Rihan (13 years old)
3. Ihab Ahmed Nabhan (14 years old)
4. Mohammed Manar Abu Wardah (16 years old)
5. Hamdi Othman Obeid (18 years old)
6. Nael Mohammed Abu Seedo
7. Ibrahim Jamal Al-Madhoon
8. Abdelkarim Ziyadeh
9. Naji Ismail Abu Jleeleh
10. Mohsen Awad Abu Odeh
11. Mohammed Shihdeh Al-Biyari
12. Hamzen Jabril Qarmour (17 years old)
13. Tarik Maher Al-Najjar (14 years old)
14. Abdullah Mahmoud Mikdad
15. Osama Mohammed Al-Asas
16. Mansi Abedrabbo Al-Mabhooh
17. Khairiyeh Mahmoud Alawneh

Friday, 7 March 2003

1. Baker Saeed Hawash (15 years old)
2 Imad Amin Finoneh
3. Ala'a Karam
4. Yussef Al-Manasreh

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* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 2,224.

United Nations A/57/748–S/2003/288

General Assembly
Security Council

Distr.: General
10 March 2003

Original: English

General Assembly
Fifty-seventh session
Agenda items 31, 35, 36 and 77

Elimination of unilateral extraterritorial coercive economic measures as a means of political and economic compulsion

Question of Palestine

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Security Council
Fifty-eighth year

Letter dated 6 March 2003 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

Upon instructions from my Government and as Chairman of the ninth session of the Islamic Summit Conference, I have the honour to transmit herewith the texts of the communiqué on Iraq and the declaration on Palestine, adopted at the second emergency session of the Islamic Summit, held in Doha, State of Qatar, on 5 March 2003 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda items 31, 35, 36 and 77, and of the Security Council.

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative

03-27485 (E) 180303 180303

Annex to the letter dated 6 March 2003 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

Communiqué on Iraq and Declaration on Palestine adopted at the second emergency session of the Islamic Summit Conference

Doha, Qatar
2 Muharram 1424 A.H. (5 March 2003 A.D.)

Their Majesties, Excellencies and Highnesses the Heads of State and Government of member States of the Organization of the Islamic Conference (OIC) convened their second emergency conference in Doha, Qatar, on Wednesday 2 Muharram 1424 A.H. (5 March 2003 A.D.) at the kind invitation of His Highness Sheikh Hamad Bin Khalifa Al Thani, Emir of the State of Qatar and Chairman of the Ninth Islamic Summit Conference, following contacts and consultations by His Highness with a number of his brothers, the Heads of State and Government of OIC member States.

The Conference considered the general situation in light of the tensions and successive developments and challenges presently faced by the Islamic Ummah, as well as the threats of a possible military attack on Iraq and the current circumstances of the Palestinian cause.

After reviewing the regional and international implications of these issues and the efforts of several parties to contain the crisis and ensure a peaceful outcome, particularly within the scope of the United Nations Security Council, the Conference adopted the following Communiqué and Declaration:

Communiqué on Iraq adopted at the second emergency session of the Islamic Summit Conference

The second emergency session of the Islamic Summit Conference was convened in Doha, Qatar, on 2 Muharram 1424 A.H. (5 March 2003 A.D.).

The Conference considered the grave situation generated by developments in the Iraqi question, the potential escalation of the situation into a military confrontation and the serious repercussions that this could have for the region and the world.

On the basis of the provisions of the Charter of the Organization of the Islamic Conference and its enshrined principles of Islamic solidarity among member States and of the need to respect the sovereignty and territorial integrity of member States, and pursuant to the resolutions adopted at the various sessions of the Islamic Summit Conference and the Islamic Conference of Foreign Ministers, the Conference:

1. Welcomed Iraq's acceptance of United Nations Security Council resolution 1441 (2002) and the cooperation shown by Iraq in facilitating the task of the international inspectors. It invited all States to support Islamic efforts aimed at

averting war and expressed the hope that this cooperation will continue to enable the inspectors to complete their tasks as defined by the resolution. It also welcomed the calls stating that the work of the international inspectors must continue and that time must be allowed for diplomatic and peaceful efforts to resolve this crisis;

2. Expressed its categorical rejection of any strike against Iraq or threat to the security and safety of any Islamic State and emphasized the need to settle the Iraqi question by peaceful means within the framework of the United Nations and in accordance with the relevant resolutions of international legitimacy;

3. Affirmed the need to preserve the security, sovereignty and territorial integrity of Iraq and its neighbouring States;

4. Asserted that the Islamic States will refrain from participating in any military action targeting the security and territorial integrity of Iraq or any other Islamic State;

5. Called on the international community to work towards the elimination of weapons of mass destruction in the Middle East, including Israel, in accordance with Security Council resolution 687 (1991), paragraph 14, and, in this respect, called for an end to the policy of double standards;

6. Rejected any attempt to impose change in the region, interfere in its internal affairs or disregard its interests and just causes;

7. Reiterated its solidarity with the Iraqi people and demanded that the blockade imposed on them be lifted in accordance with international law;

8. Called again on the Republic of Iraq to reaffirm its respect for the independence, sovereignty and security of the State of Kuwait and to ensure its territorial integrity within its internationally recognized borders in order to avoid in any way provoking a repetition of the events of 1990. It also called for the adoption of policies that would guarantee these objectives within the framework of goodwill and good-neighbourly relations. In this connection, the Conference stressed the importance of ending media campaigns and negative statements in order to create a positive climate that will reassure the two countries of commitment to the principles of good neighbourliness and non-interference in internal affairs;

9. Expressed support for the renewed activity, as from 8 January 2003, of the technical subcommittee emanating from the Tripartite Commission on the issue of the Kuwaiti prisoners and detainees held since 1990 and 1991. It commended the State of Kuwait's positive response to the information on its missing persons provided by Iraq through the International Committee of the Red Cross and expressed the firm hope that substantial and concrete progress will be made on this issue. The Conference welcomed Iraq's return of a portion of the Kuwaiti archives and called on Iraq to return the remainder of the archives and other property of the State of Kuwait.

Declaration on the grave situation in Palestine adopted at the second emergency session of the Islamic Summit Conference

The kings, presidents and emirs of member States of the Organization of the Islamic Conference held an extraordinary meeting in Doha on 5 March 2003 to consider the extremely grave, difficult and tragic situation in the Palestinian

territories and at Islamic and Christian holy places. They also considered the barbaric crimes committed in Israel's three-year-old war against the Palestinian people, in the course of which it has used all types of weapons, including aircraft, tanks, missiles and warships, killing and injuring thousands and detaining tens of thousands of defenceless Palestinians. Israel is continuing to occupy Palestinian cities and villages and to isolate them from the outside world; to construct hundreds of roadblocks and trenches; to deny Palestinians access to medical supplies and foodstuffs; to destroy Palestinian infrastructure, institutions and establishments, as well as institutes, university and school buildings, places of worship and hospitals; to demolish houses still inhabited by their occupants; to plough up land and destroy crops; and to close border crossing points with a view to humiliating, starving and increasing the sufferings of the Palestinian people.

This brutal, deliberate and planned aggression is framed within Israel's continuing policy of imposing a fait accompli, Judaizing the city of Al-Quds Al-Sharif and undermining all regional and international efforts designed to end the aggression and to resume the peace process.

The leaders reaffirm the support of the entire Islamic Ummah for the Palestinian people and its legitimate national leadership under its militant President, Yasser Arafat, in efforts to ensure restoration of its rights in accordance with the resolutions of international law; to secure Israel's withdrawal to the borders of 4 June 1967; to establish its independent Palestinian State, with Al-Quds Al-Sharif as its capital; and to secure a just solution to the Palestinian refugee problem in accordance with General Assembly resolution 194 (III). They also reaffirm their continued provision of all forms of political, moral and material support to the Palestinian people in its legitimate struggle against the occupation.

The leaders reaffirm the Islamic position on the question of Al-Quds and its importance for the Islamic world and, in particular, the outcome of the nineteenth session of the Al-Quds Committee, chaired by His Majesty King Mohammed VI, and its support for the position of the State of Palestine on the basis of commitment to sovereignty over Al-Quds Al-Sharif as the capital of the independent State.

The leaders also condemn the Israeli occupation authorities' policy of systematic aggression, as manifested in confiscation of Palestinian land, construction and expansion of settlements thereon, raising of barriers and of an "apartheid wall" and construction of bypass roads. These and all other settlement activities constitute a flagrant violation of United Nations resolutions and international humanitarian law, particularly the fourth Geneva Convention of 1949. They consider that the settlements are illegal, null and void and that they must therefore be dismantled pursuant to Security Council resolution 465 (1980).

The leaders condemn the systematic, massive and wide-scale violations of human rights perpetrated by the Israeli occupation authorities, particularly mass killings and collective punishments such as demolition of homes and sealing of Palestinian areas. These measures constitute State terrorism and crimes against humanity, all being a flagrant violation of international humanitarian law and the right to life of the Palestinian people. The leaders call on the High Contracting Parties to the fourth Geneva Convention of 1949 to meet to consider violations committed by Israel in the occupied Palestinian territories.

They call on the United Nations and the Security Council to assume their responsibility for the preservation of international peace and security by inducing Israel to cease its brutal aggression against the Palestinian people and to provide that people with the necessary international protection as a safeguard against serious violations until it is able to exercise its inalienable national rights in accordance with the resolutions of international legitimacy.

The leaders reaffirm the importance of continued media coverage of developments in the occupied Palestinian territories and of a constant effort to persuade the international media to expose violations of Palestinian human rights, to awaken the world's conscience and to mobilize international solidarity with and sympathy for the Palestinian people in its legitimate national struggle.

They call upon member States to extend urgent financial assistance to the Palestinian authority in order to meet the urgent needs resulting from the continued, escalating Israeli aggression, now in its third consecutive year. This will enable the authority to continue to provide medical and educational services and to assist the hundreds of thousands of unemployed; it will also support the Palestinian people's resistance, help the families of the martyrs, injured and detainees and ensure minimum funding for reconstruction, replanting of land destroyed by the Israeli war machine and repair of roads and infrastructure.

The leaders confirm their endorsement of the Arab Peace Initiative.

Looking forward to a halt to bloodshed and further deterioration in the region, the leaders insist that the international community, and in particular the quartet made up of the United States, the Russian Federation, the European Union and the United Nations, must take prompt action to:

- Stop the Israeli aggression against the Palestinian people and halt the murders, arrests, demolition of homes, destruction of infrastructure and desecration of Islamic and Christian holy places;

- Put an immediate end to all measures of Israeli aggression against the city of Al-Quds Al-Sharif and other Palestinian cities, especially the policy of Judaization and settlement; demolition of Palestinians' homes; appropriation of their lands; and changes in the configuration of their cities; and to the policy of isolating the city of Al-Quds Al-Sharif from its Palestinian environment and of erecting barricades around it in order to deny Palestinians access to the city and the religious sites therein;

- Induce Israel to stop building an "apartheid wall" which is eating into Palestinian territory, infringing on the rightful borders of the Palestinian State and exacerbating conditions in the region;

- Ensure withdrawal of the Israeli occupation forces, lifting of the internal and external blockade and of all the restrictions imposed on Palestinian cities, villages and camps and the cessation of all inhumane Israeli measures and practices against the Palestinian people, which are in violation of all international conventions and norms;

- Halt all Israeli settlement actions in the occupied Palestinian territories, including the city of Al-Quds Al-Sharif;

- Release all Palestinian detainees in Israeli prisons;

– Ensure international protection for the Palestinian people against the crimes to which it is exposed in the context of the Israeli war of aggression;

– Allow the entry of food and medical supplies to the Palestinian territories and unfreeze the Palestinian Authority funds seized by Israel; and

– Resume negotiations on the basis of their terms of reference, particularly Security Council resolutions 242 (1967) and 338 (1973), and of the land-for-peace formula, from the point at which they were halted, following a specific timetable and a political road map based on the relevant Security Council resolutions; the Arab Peace Initiative, which provides for the establishment of an independent Palestinian State with Al-Quds Al-Sharif as its capital on the territories occupied by Israel in 1967; and a just solution to the refugee problem pursuant to the resolutions of international legitimacy, particularly General Assembly resolution 194 (III).

The leaders reaffirm their full solidarity with Syria and Lebanon and their rejection of any threats directed against these two fraternal countries. They also insist on the return of the occupied Syrian Golan, up to the 4 June 1967 borders, and the restoration of Lebanese sovereignty over the remaining occupied Lebanese territories, including the Shab'a farmlands.

United Nations A/57/749-S/2003/289

General Assembly
Security Council

Distr.: General
10 March 2003

Original: English

General Assembly
Fifty-seventh session
Agenda items 31, 35, 36 and 77

Security Council
Fifty-eighth year

Elimination of unilateral extraterritorial coercive economic measures as a means of political and economic compulsion

Question of Palestine

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Letter dated 6 March 2003 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of the statement made by His Highness Sheikh Hamad bin Khalifa Al-Thani, Emir of the State of Qatar, in his capacity as Chairman of the ninth session of the Islamic Summit Conference, at the second emergency session of the Islamic Summit, held in Doha, State of Qatar, on 5 March 2003 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda items 31, 35, 36 and 77, and of the Security Council.

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative

03-27363 (E) 130303 140303

Annex to the letter dated 6 March 2003 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

In the name of God, The Merciful, The Compassionate

Praise be to God and blessings and peace be upon his Prophet, his Kinsfolk and Companions.

Your Majesties and Highnesses,

Your Excellencies,

Your Excellency the Secretary-General of the Organization of the Islamic Conference,

Honourable Audience,

I greet you with the best of greetings, the greeting of Islam. May the peace, mercy and blessings of God be upon you.

It gives me pleasure to welcome you on behalf of the people and Government of the State of Qatar, in your country and among your brothers and kinsfolk.

The extraordinary circumstances witnessed by our Muslim nation at this difficult and complicated juncture made it incumbent upon us to meet in this emergency session to discuss the complex situation facing us, which threatens grave consequences and repercussions for the security and stability of the whole world.

We are meeting at a time when threats are mounting and military escalation is building up towards a regional confrontation whose possible results and effects for the region and the world are difficult to control.

At the same time, the situation in the occupied Palestinian territories is deteriorating incessantly and our Palestinian brethren are being subjected to endless suffering at the hands of the Israeli occupation forces, whose oppressive practices cannot be justified or overlooked.

These situations present major challenges for us. We have to confront them, raising the level of our joint action in order to tackle them and limit their possible negative impacts on our Ummah (nation) and peoples.

We are not here to pretend that we can make an international political or strategic decision which will direct and command the course of these developments. Yet we certainly can influence the course of such a decision and its possible results and effects, provided that we act together, unify our positions, and adhere to our objectives which are dictated by the common priorities and interests and the principles and values that bind us as one Muslim nation. This endeavour to unify our positions and adopt concerted and harmonized policies towards the crucial issues currently facing our nation represents the least we can do. Indeed, it is the least that our responsibilities and duties towards our countries and peoples require us to do.

Today our choice in respect of Iraq is not only between supporting a peaceful political solution or dealing with the outcome of the development of events. In our opinion, it is a matter of what we can do so that Iraq can get out of this crisis in a

way that will spare it and us a costly price or irremediably grave damage, the consequences of which could never be overcome regardless of how good our intentions might be.

In all our actions, we should focus our efforts on exhausting all peaceful means to solve this question out of our conviction that peace is the difficult challenge which our States should take up. Any other outcome would lead to creating more crises, conflicts and sufferings, which would expose the whole region to dangers the extent of which only God knows.

That is why we welcomed Iraq's acceptance of Security Council resolution 1441 (2002) and its cooperation in implementing it. We hope that cooperation will continue, as it is an important step towards a peaceful solution to the present problem.

In this connection, we reaffirm the necessity of maintaining Iraq's independence, unity, territorial integrity and of non-interference in its internal affairs. We also reiterate our firm and principled position regarding the necessity of respecting the sovereignty, its security and territorial integrity of the State of Kuwait and of non-interference in its internal affairs.

Your Majesties and Highnesses,

Your Excellencies,

Your Excellency the Secretary-General,

Honourable Audience,

The Palestinian question is passing through a very difficult and critical phase. We hoped that President Yasser Arafat could attend our meeting. But Israel's continued intransigence and insolence have regrettably made that impossible. The Israeli aggression in the Palestinian territories is still going on, the sieges and killings perpetrated daily against innocent civilians continue despite repeated condemnations and appeals, because of Israel's intransigence, its neglect of its commitments to the international community and its insistence on achieving security and stability through the use of military force, taking advantage of the regional and international conditions to ruin the opportunities for peace.

Allow me to address in utterly, sincere and candid frankness, a message to the pillars of the international community in general and the United States of America in particular, that the continuation of this human tragedy is a stigma in the history of mankind and today's civilization; that security, peace and stability in the region cannot materialize without a peaceful, just and durable settlement based on the implementation of the relevant Security Council resolutions, all of which recognize the right of the Palestinian people to their legitimate national rights, as well as the right to self-determination and to establish their independent State on their national soil, with Jerusalem as its capital, and the necessity of Israeli withdrawal from all territories occupied in 1967. Israel cannot always remain above the resolutions which enshrine international legality and the principles of international law.

Here we stress once again the importance of the resolutions adopted by the Ninth Summit of the Organization of the Islamic Conference regarding the non-proliferation of weapons of mass destruction and the creation of an area free of such weapons in the Middle East, and we urge the international community to ask Israel

to submit all its nuclear installations to the International Atomic Energy Agency, since that is crucial to establishing a comprehensive and just peace in the region.

Your Majesties and Highnesses,

Your Excellencies,

Your Excellency the Secretary-General of the Organization of the Islamic Conference,

Honourable Audience,

The present juncture requires that we look forward to the future and have the ability to influence it, without looking back to the failures of the past and their bitter memories, so that our future generations can be more fortunate in building a new world in which peace, stability, freedom and equality prevail.

May God bestow success on us and guide us along the path of common good.

May the peace, mercy and blessings of God be upon you.

United Nations S/2003/290

Security Council

Distr.: General
10 March 2003
English
Original: French

Letter dated 6 March 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 955 (1994) of 8 November 1994 by which the Council established the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January and 31 December 1994 (hereinafter referred to as "the International Tribunal for Rwanda").

I refer also to Security Council resolutions 1165 (1998) of 30 April 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002 and 1431 (2002) of 14 August 2002, by which the Council amended the Statute of the International Tribunal for Rwanda which it had adopted in its resolution 955 (1994).

Articles 12 and 12 ter of the Statute of the International Tribunal for Rwanda, as amended, read as follows:

"**Article 12**
Qualifications of judges

The permanent and ad litem judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers and sections of the Trial Chambers, due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law."

"**Article 12 ter**
Election and appointment of ad litem judges

1. The ad litem judges of the International Tribunal for Rwanda shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(a) The Secretary-General shall invite nominations for ad litem judges of the International Tribunal for Rwanda from States Members of the United

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Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(b) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to four candidates meeting the qualifications set out in article 12 of the present Statute, taking into account the importance of a fair representation of female and male candidates;

(c) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of not less than thirty-six candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution;

(d) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect the eighteen ad litem judges of the International Tribunal for Rwanda. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected;

(e) The ad litem judges shall be elected for a term of four years. They shall not be eligible for re-election.

2. During their term, ad litem judges will be appointed by the Secretary-General, upon request of the President of the International Tribunal for Rwanda, to serve in the Trial Chambers for one or more trials, for a cumulative period of up to, but not including, three years. When requesting the appointment of any particular ad litem judge, the President of the International Tribunal for Rwanda shall bear in mind the criteria set out in article 12 of the present Statute regarding the composition of the Chambers and sections of the Trial Chambers, the considerations set out in paragraphs 1 (b) and (c) above and the number of votes the ad litem judge received in the General Assembly."

The States Members of the United Nations and the non-member States maintaining permanent missions at United Nations Headquarters were invited, by a letter dated 3 January 2003, to nominate candidates for 18 posts of ad litem judge at the International Tribunal for Rwanda and were informed that within 60 days of the date of the invitation of the Secretary-General they might nominate up to four candidates meeting the qualifications set out in article 12 of the Tribunal Statute as amended.

They were also informed that, should they decide to nominate two or more candidates, it would be permissible for them to nominate two candidates of the same nationality, if they so wished. They were also informed that it would be permissible for them, should they so desire, to nominate one or more candidates of the same nationality as a permanent judge of the International Tribunal for Rwanda.

They were further notified that, should they decide to nominate one or more candidates, they should then, in accordance with article 12 ter, paragraph 1 (b), of the Tribunal Statute, take into account the importance of a fair representation of female and male candidates.

By virtue of article 12 ter, paragraph 1 (c), of the Tribunal Statute as amended, I am hereby forwarding to the Security Council the 26 nominations I have received from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters during the 60-day period prescribed in article 12 ter, paragraph 1 (b). A list of the candidates arranged in alphabetical order is annexed to this letter, as are the curricula vitae that were transmitted to me with the nominations.*

I should like to note in this connection that the number of nominations I have received is less than the minimum number (36) which, in accordance with article 12 ter, paragraph 1 (c), of the Tribunal Statute as amended, should be included in the list that the Security Council is to establish for transmission to the General Assembly.

I would stress here that, under article 12 ter, paragraph 1 (a), of the Tribunal Statute as amended, ad litem judges elected to the Tribunal in accordance with article 12 ter must serve in the Tribunal full-time during the period in which they are appointed and may not engage in any other activity of a professional nature or exercise any political or administrative function during this period.

I would also recall that, while ad litem judges are not required at any time to establish their residence at the headquarters of the International Tribunal for Rwanda in Arusha, they are required to be wholly at the disposal of the Tribunal during the period in which they are to discharge their functions.

(*Signed*) Kofi A. **Annan**

* Annex circulated only to the members of the Security Council.

United Nations S/2003/291

Security Council

Distr.: General
10 March 2003
English
Original: French

Letter dated 10 March 2003 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith the text of a communiqué from the Government of the Democratic Republic of the Congo, dated 6 March 2003, concerning the situation in Ituri.

My Government would be grateful if you would have this text and its annex circulated as a document of the Security Council.

(*Signed*) Atoki **Ileka**
Ambassador
Permanent Representative

03-27393 (E) 100303 100303

Annex to the letter dated 10 March 2003 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Press communiqué from the Government of the Democratic Republic of the Congo concerning the situation in Ituri

The Government of the Democratic Republic of the Congo, deeply concerned at the suffering of the civilian population in the Ituri region, deplores the pursuit and intensification of the war in that part of the country.

Since the beginning of this week, Mahagi, Aru, Mandro and other villages have seen acts of violence generated by members of the Union des patriotes congolais (UPC) headed by Thomas Lubanga.

Since this morning, moreover, clashes have continued in other villages, reaching as far as Bunia.

In view of the foregoing, the Government of the Republic wishes to impress upon national and international public opinion that it is neither directly nor indirectly involved in this cycle of violence, which has again plunged the Ituri region into a grave humanitarian disaster.

Nevertheless, mindful of the need to restore peace throughout the country, the Government of the Democratic Republic of the Congo:

1. Demands the strict implementation of the Luanda Agreement of 6 September 2002, signed by the Government of the Democratic Republic of the Congo and the Government of the Republic of Uganda, on the withdrawal of Ugandan troops from the Democratic Republic of the Congo, cooperation and the normalization of bilateral relations between the two countries, as amended at the consultative summit between the Heads of State, His Excellency Joseph Kabila and His Excellency Yoweri Museveni, held in Dar es Salaam on 10 February 2003.

2. Expects all the parties involved in this conflict to put an end to it and to encourage the rapid launching of the Preparatory Committee for the Ituri Pacification Commission, the establishment of which holds out hope for the Congolese.

3. Requests the warring parties to respect international humanitarian law by protecting the lives of civilians, who are always direct or indirect victims, as called for in the Geneva Conventions of 12 August 1949 and the Protocols Additional thereto.

4. Encourages the delegates to the inter-Congolese dialogue currently meeting in Pretoria to put the nation's higher interest first.

5. Calls upon the international community in general, and the Security Council in particular, to:

- Demand immediately that the Republic of Uganda and the Republic of Rwanda take urgent measures to protect the human rights and lives of the civilian populations in the territories under their control and to resolutely refrain from acts likely to inflame the Ituri region;

– Avert the risk of clashes between the two armies, Rwandan and Ugandan, like those which occurred in Kisangani.

Kinshasa, 6 March 2003

United Nations S/2003/292

Security Council

Distr.: General
11 March 2003

Original: English

Letter dated 11 March 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

In accordance with article 39 of the provisional rules of procedure of the Security Council, I have the honour to request the participation of H.E. Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations, in the discussion of the agenda item entitled "The situation between Iraq and Kuwait", which will start on 11 March 2003.

(*Signed*) Mikhail **Wehbe**
Ambassador
Permanent Representative

03-27536 (E) 110303

United Nations S/2003/293

Security Council

Distr.: General
11 March 2003
English
Original: Arabic

Identical letters dated 7 March 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I wish to transmit to you herewith the daily report on the activities carried out by the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq on 7 March 2003.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Permanent Representative

03-27772 (E) 130303 140303

Annex to the identical letters dated 7 March 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

Activities of the IAEA and UNMOVIC inspection teams in Iraq

Inspection activities on Friday, 7 March 2003

I. UNMOVIC inspection team (biological)

Group I

The group left the Canal Hotel at 8.30 a.m. and went to the Aziziyah bomb destruction site which comes under the Ministry of Defence. The group asked about the bombs that had been recovered during the excavation process on that day and on Thursday 6 March, took samples from the site and photographed some of the bombs that had been destroyed. The group concluded its mission, which lasted two hours, and then returned to the hotel.

Group II

A helicopter took off from Rashid airfield with six inspectors on board and went to Mosul railway station in the city of Mosul. The group interviewed the station manager, asking him about the age of the station, whether any part of the station was at the disposal of the Mesopotamia Company, and also about the covered premises at the station and whether they had been in existence 15 years earlier. The group then went to the Mosul branch of the Mesopotamia Seed Company. The group interviewed officials of the company, asking about the yellow seed plant and whether it was of recent date, and also about the activities of the site, and the number of employees. The group then inspected all the facilities of the company, concluded its mission, which lasted two and a half hours, and then returned to Rashid airfield.

II. U-2 surveillance aircraft

A U-2 surveillance aircraft entered Iraqi airspace at 9.40 a.m. and made a reconnaissance of several areas. The aircraft left Iraqi airspace at 3.10 p.m. The reconnaissance operation lasted five and a half hours.

United Nations S/2003/294

Security Council

Distr.: General
11 March 2003
English
Original: Arabic

Identical letters dated 8 March 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I wish to transmit to you herewith the daily report on the activities carried out by the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq on 8 March 2003.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Ambassador
Permanent Representative

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Annex to the identical letters dated 8 March 2003 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

Activities of the IAEA and UNMOVIC inspection teams in Iraq

Report on activities carried out on Saturday, 8 March 2003

I. IAEA inspection team

Group I

A first group left the Canal Hotel at 8.30 a.m. and went to the Salah al-Din State Company, which is owned by the Military Industrialization Corporation (MIC). The group met Company officials and asked them about the nature of the Company's work, its current production, the number of employees and future plans. It then inspected all the administrative and production departments. On completing its mission, which lasted 3 hours, the group returned to the Hotel.

Group II

A second group left the Canal Hotel at 8.40 a.m. Using vehicle-mounted and hand-held equipment, it conducted a radiation survey of Taji camp 1 and the military units located there with a view to detecting any radioactivity. On completing its mission, which lasted 4 hours, the group returned to the Hotel.

Group III

A third group left the Canal Hotel at 9 a.m. and went to the Tabuk Company. The group met Company officials and asked them about the Company's work, the main plants connected with the Company and the production capacity of each plant. The group then proceeded to another site, the Mu'tasim plant owned by the Rashid State Company, and inspected that plant's destroyed buildings. Next the group went to the Al-Quds State Company, an MIC enterprise, looked into the activities of the plant's various centres and inspected the laboratories in each centre. On completing its mission, which lasted 6 hours, the group returned to the Hotel.

II. UNMOVIC inspection team (missiles)

Group I

A first group left the Canal Hotel at 8.30 a.m. and went to the Sumud plant, owned by the Karamah State Company, where it supervised the destruction of the equipment and parts related to Sumud-2 missiles. It then went to the Technical Battalion site at Taji and oversaw the demolition of Sumud-2 missile parts. On completing its mission, which lasted 6 hours, the group returned to the Hotel.

Group II

A second group left the Canal Hotel at 8.30 a.m. and went to the Technical Battalion at Taji, where it oversaw the destruction of six Sumud-2 missiles and three warheads. On completing its mission, which lasted 5 hours, the group returned to the Canal Hotel.

Group III

A third group left the Canal Hotel at 8.40 a.m. and went to the Qa'qa' State Company to check for the existence of untagged Sumud-2 missiles. On completing its mission, which lasted 30 minutes, the group returned to the Canal Hotel.

III. UNMOVIC inspection team (chemical)

The team left the Canal Hotel at 9 a.m. and proceeded to the Qa'qa' State Company. It met Company officials and enquired of them about the extent to which the units were in operation at present, about those that were shut down and about tagged equipment located in the Company. The team then inspected the sulphuric acid concentration unit. On completing its mission, which lasted 2 hours and 20 minutes, the team returned to the Canal Hotel.

IV. UNMOVIC inspection team (biological)

The team left the Canal Hotel at 9 a.m. and went to the Aziziyah bomb destruction site. It made a tour of the site and enquired about the bombs excavated that day, then took samples from the site. On completing its mission, which lasted 2 hours and 30 minutes, the team returned to the Hotel.

V. UNMOVIC joint inspection team in Baghdad

The team left the Canal Hotel at 8.30 a.m. and went to the yellow corn shelling and drying plant at Haydari. The plant belongs to the Mesopotamia State Seed Company/Ministry of Agriculture. The team met with the Company manager and asked him about the date of establishment of the Company, the number of employees and the date on which the site was placed under the Ministry of Agriculture. The team then inspected all the plant warehouses. On completing its mission, which lasted 1 hour, the team returned to the Hotel.

VI. UNMOVIC joint inspection team in Mosul

The team left the Nineveh Palace Hotel at 9 a.m. and went to the two old radio and television broadcasting stations. It photographed the rubble of the buildings destroyed in 1991. On completing its mission, which lasted 2 hours, the team returned to the Nineveh Palace Hotel.

VII. Interviews

UNMOVIC requested an individual interview in a Baghdad hotel with a competent Iraqi. The National Monitoring Directorate notified him and encouraged him to hold the interview at the appointed time and place. He was in fact interviewed by UNMOVIC.